

AN ORDINANCE 100381

**AMENDING CHAPTER 21 OF THE SAN ANTONIO CITY CODE  
TO PROHIBIT URINATING AND/OR DEFECATING IN  
PUBLIC PLACES OR IN PUBLIC VIEW; AND PROVIDING  
FOR A CRIMINAL FINE IN AN AMOUNT NOT TO EXCEED  
\$500.00 FOR VIOLATION OF THIS ORDINANCE.**

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**WHEREAS**, the City Council finds that urination and defecation in public places or in public view is disturbing and disruptive to residents, visitors, and businesses and contributes to the loss of access to and enjoyment of public places and to a sense of fear, disgust and disorder, and

**WHEREAS**, urination and defecation in public places is potentially harmful to public health and sanitation; and

**WHEREAS**, the City Council finds it is in the best interest of the health and safety of the citizens and visitors to San Antonio to criminalize such behavior; **NOW THEREFORE:**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** Chapter 21 of the San Antonio City Code is hereby amended by the addition of Section 27 providing the following:

**Section 27 Urinating and/or Defecating in Public**

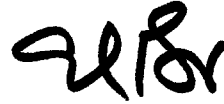
- (a) A person commits an offense if he or she urinates and/or defecates:
  - (1) in or on a public street, alley, sidewalk, yard, park, building, structure, plaza, or utility right-of-way, or other public place; or
  - (2) in public view.
- (b) It is an affirmative defense to prosecution under this section if the person was in a restroom.

**SECTION 2.** Any person who engages in any activity specified in Section (a)(1) or (a)(2) above, may be subject to prosecution for a Class C misdemeanor and a fine not to exceed \$500.00.

**SECTION 3.** The City Clerk is directed to promptly publish public notice of this ordinance in accordance with Section 17 of the City Charter.


**SECTION 4.** This ordinance shall be effective on the 5<sup>th</sup> day after publication or on approximately February 18, 2005.

PASSED AND APPROVED on this the 3rd day of February, 2005.



M A Y O R  
EDWARD D. GARZA

ATTEST:   
City Clerk

APPROVED AS TO FORM:   
for City Attorney

# Agenda Voting Results

**Name:** 21D.

**Date:** 02/03/05

**Time:** 03:25:40 PM

**Vote Type:** Multiple selection

**Description:** An Ordinance amending Chapter 21 of the San Antonio City Code to prohibit urinating and/or defecating in public places or in public view; and providing for a criminal fine in an amount not to exceed \$500.00 for violation of this ordinance.

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		x		
JOEL WILLIAMS	DISTRICT 2	Not present			
RON H. SEGOVIA	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4	Not present			
PATTI RADLE	DISTRICT 5			x	
ENRIQUE M. BARRERA	DISTRICT 6		x		
JULIAN CASTRO	DISTRICT 7	Not present			
ART A. HALL	DISTRICT 8		x		
CARROLL SCHUBERT	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR ED GARZA	MAYOR		x		